

REMARKS

Claim Rejections

Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Doczy et al. (U.S. 6,788,527). Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Doczy et al. in view of Honda et al. (U.S. 5,751,547).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

New Claims

By this Amendment, Applicant has canceled claims 1-7 and has added new claims 8-12 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a separable and foldable tablet PC assembly comprising: a data input device (2); a slate-like table PC (4) movable between a connected and a disconnected position and having: a receiving cavity (43) located in a bottom thereof; a mating connector (44) located in a bottom thereof; and a hooking groove connector (48) located in a bottom thereof; and a combining seat (3) having: a base portion (34) pivotally connected to a top edge of the data input device; two guiding arms (36) having a predetermined equal length and holding the slate-like table PC, one of the two guiding arms extending outwardly from each of two opposing ends of the base portion, each of the two guiding arms having a guiding recess (361), the slate-like table PC is selectively inserted between the guiding recess of the two guiding arms; a pair of connectors (38) spaced apart on a top of the base portion, one of the receiving cavity and the mating connector engaging each of the pair of connectors of the combining seat; and at least one

hooking device (32) located in a middle region of the base portion, each of the at least one hooking device having a sliding button (322) slidable located on an exterior surface of the base portion and a hook (321) connected to the sliding button and extending from the top of the base portion, the hook selectively engaging the hooking groove of the slate-like table PC, wherein, in the connected position, the slate-like table PC is located one of a type-inputting position and a handwriting-inputting position, and secured to the combining seat by each guiding recess of the two guiding arms and the at least one hooking device, and in the disconnected position, the slate-like table PC is separated from the base portion for independent use.

Other embodiments of the present invention include: the data input device includes a keyboard (22) and a touch pad (24) located adjacent to the keyboard, a front edge of the data input device having a thickness that is greater than a thickness of a rear edge thereof; each guiding recess of the two guiding arms having a symmetrical U-shaped cross section; the pair of connectors are located on opposing sides of a center of the base portion, each of the pair of connectors having a plurality of data-transmitting terminals and a plurality of power-supplying terminals for transmitting data to and recharging the slate-like table PC respectively; and the slate-like table PC includes at least one positioning hole (46), the base portion includes at least one positioning post (341) located on the top thereof and selectively inserted into the at least one positioning hole.

The primary reference to Doczy et al. teaches a tablet computer keyboard and system including a keyboard (14) having a mounting bar (182) with two latch members (184, 186), and a tablet computing device (12).

Doczy et al. do not teach a slate-like table PC having a receiving cavity located in a bottom thereof, and a mating connector located in a bottom thereof; one of the two guiding arms extending outwardly from each of two opposing ends of the base portion; each of the two guiding arms having a guiding recess; the slate-like table PC is selectively inserted between the guiding recess of the two guiding arms; a pair of connectors spaced apart on a top of the base portion; one of the receiving cavity and the mating connector engaging each of the pair of connectors of the combining seat; each of the at least one hooking device having a sliding button

slidable located on an exterior surface of the base portion and a hook connected to the sliding button and extending from the top of the base portion, the hook selectively engaging the hooking groove of the slate-like table PC; a front edge of the data input device having a thickness that is greater than a thickness of a rear edge thereof; nor do Doczy et al. teach each guiding recess of the two guiding arms having a symmetrical U-shaped cross section.

The secondary reference to Honda et al. teaches an electronic device system including a computer (1) located in a case (2) and having a first connector (21), and an expansion station (30) having a holding portion (80) having left and right side walls (90a, 90b).

Honda et al. do not teach a slate-like table PC having a receiving cavity located in a bottom thereof, a mating connector located in a bottom thereof, and a hooking groove connector located in a bottom thereof; one of the two guiding arms extending outwardly from each of two opposing ends of the base portion; each of the two guiding arms having a guiding recess; the slate-like table PC is selectively inserted between the guiding recess of the two guiding arms; a pair of connectors spaced apart on a top of the base portion; one of the receiving cavity and the mating connector engaging each of the pair of connectors of the combining seat; each of the at least one hooking device having a sliding button slidable located on an exterior surface of the base portion and a hook connected to the sliding button and extending from the top of the base portion, the hook selectively engaging the hooking groove of the slate-like table PC; a front edge of the data input device having a thickness that is greater than a thickness of a rear edge thereof; nor do Honda et al. teach each guiding recess of the two guiding arms having a symmetrical U-shaped cross section.

Even if the teachings of Doczy et al. and Honda et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a slate-like table PC having a receiving cavity located in a bottom thereof, and a mating connector located in a bottom thereof; one of the two guiding arms extending outwardly from each of two opposing ends of the base portion; each of the two guiding arms having a guiding recess; the slate-like table PC is selectively inserted between the guiding recess of the two guiding arms; a pair of connectors spaced

apart on a top of the base portion; one of the receiving cavity and the mating connector engaging each of the pair of connectors of the combining seat; each of the at least one hooking device having a sliding button slidable located on an exterior surface of the base portion and a hook connected to the sliding button and extending from the top of the base portion, the hook selectively engaging the hooking groove of the slate-like table PC; a front edge of the data input device having a thickness that is greater than a thickness of a rear edge thereof; nor does the combination suggest each guiding recess of the two guiding arms having a symmetrical U-shaped cross section.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Doczy et al. or Honda et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Doczy et al. nor Honda et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Application No. 10/766,826


Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: June 15, 2005

By:



Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707